

REMARKS/ARGUMENTS

The Examiner has requested that applicant elect a single disclosed species for prosecution on the merits. Without admitting that the present application contains claims directed to more than one patentably distinct species, applicant elects with traverse claims 1-16 in the pending application, and withdraws claims 17-27 from present consideration. Applicant further reserves the right to petition the withdrawal of the restriction requirement, and/or to file a continuation or divisional application patent applications for the withdrawn claims.

With respect to the Examiner's contention that there are six patentably distinguishable species claimed and illustrated in the drawings, it is respectfully submitted that each alleged specie is merely an embodiment of the article claimed in claims 1-16. The Examiner further contends that the article may be used to cool a beverage, it is respectfully submitted that no claims are directed to this embodiment. The Examiner acknowledges that claims 1-27 are related as product and process of use; however, the Examiner neglects that the claimed process of use is integral to the product, and as such, claims 1-27 are directed to a singular invention.

Nevertheless, in light of applicant's amendments to the claims, applicant requests that claims 1-16 be examined, and that a timely Notice of Allowance issue on this application.

Respectfully submitted,

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